

## **EXHIBIT 3**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION

5 SANTANA BRYSON and JOSHUA )  
6 BRYSON, as administrators of )  
7 the Estate of C.Z.B. and as )  
8 surviving parents of C.Z.B., a )  
9 deceased minor., )  
10 )  
11 PLAINTIFF, )  
12 )  
13 VS. ) CASE NO.: 2:22-CV-017-RWS  
14 )  
15 ROUGH COUNTRY LLC, )  
16 )  
17 DEFENDANT. )  
18 )

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
FRIDAY, MAY 5, 2024

## APPEARANCES:

FOR THE PLAINTIFF:

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(Appearances continued next page.)

25 | REPORTED BY: JUSTUS BAILENTINE, CSR 13859

1 the right.

2 Q. Well, can we do it on this one as well?

3 A. Well, this is what pushed forward on the seat  
4 and moved the head restraint adjustment knob forward,  
5 which hit his head, so no, not exactly. It's all --

6 Q. Okay. Wait. I'm confused.

7 A. -- stacked up.

8 Q. Can you explain to me what -- it's your  
9 opinion -- what your opinion is that happened, how the  
10 injury happened?

11 A. Yes. The truck comes in, the F250 comes in,  
12 deforms the liftgate, deforms and breaks whatever's in  
13 the cargo area, pushing all that forward, pushes the  
14 Row 2 left seat forward, which rotates counter clockwise.

15 The plastic belt guide for the No. 5 belt  
16 interacts with the child safety seat in the area that  
17 we're looking at right now, where the deformation is of  
18 the polymer.

19 Right in front of that all being pushed forward  
20 with all this stuff behind it including a truck is the  
21 head restraint adjustment knob on the right side, and all  
22 of that goes into a Master Cohen's head, about his right  
23 ear, right behind his right ear, causing the depressed  
24 skull fracture, causing the brain injury, causing the  
25 basilar skull fracture, causing the atlanto-occipital

Page 172

1                   Are those the things you're going to testify in  
2 relation to the Exponent test?

3                   A. I mean, like we talked about before, I'm not  
4 going to talk about forces in terms of pounds or newtons  
5 or anything like that, so I would better characterize it  
6 as noted in my report.

7                   So what I will testify about is that injury  
8 causation would have -- you know, the same injury outcome  
9 would have occurred for Cohen Bryson whether -- in an  
10 unlifted -- let me start over.

11                  The same injury outcome would have occurred for  
12 Cohen Bryson whether or not Mr. Elliott's truck were  
13 lifted or not.

14                  Q. And how -- can you give me like a short summary  
15 of how the crash test informs your opinions about what  
16 happened during the crash?

17                  MR. HILL: Object to the form, but go ahead.  
18 You can answer.

19                  THE WITNESS: So our crash test at Exponent  
20 doesn't really help us understand what happened during  
21 the subject crash because of the independent variable of  
22 no lift kit in the Exponent test. So it doesn't because  
23 it's a different crash.

24                  Q. Okay. And your disclosure says that you relied  
25 on the crash reconstructions and simulations. What are

Page 173

1 you talking about there?

2 A. Likely Mr. -- is it Rocha? I'm sorry. I don't  
3 remember his name.

4 Q. Rosch?

5 A. Thank you. I think did some simulations, but I  
6 didn't really rely upon those. I certainly reviewed  
7 them, but more I'm relying on the crash reconstruction.

8 Q. Okay. Did the defense experts do any crash  
9 simulations?

10 A. Unless we're going to call the Exponent crash  
11 testing a simulation, but not like Mr. Rosch did.

12 Q. Okay. I think you're thinking of Mr. Buckner?

13 A. Okay. You're probably right. Sorry about that,  
14 Buckner.

15 Q. All right. What defense experts are you relying  
16 on to form your opinion?

17 A. Mr. Wes Grimes and Mr. Charlie Crosby. Unless  
18 you asked me something you haven't asked me yet, I don't  
19 think Mr. Pasquerella.

20 Q. Was there something I need to ask you about  
21 Mr. Pasquerella?

22 A. I don't think so, but those are the only defense  
23 experts I know of, so I would have to consider him if you  
24 asked me something about what he said, but I rely upon  
25 Crosby and Grimes.

Page 195

1 STATE OF CALIFORNIA )  
2 ) ss.  
3 COUNTY OF ALAMEDA )  
4  
5

6 I, JUSTUS BAILENTINE, Certified Shorthand  
7 Reporter No. 13859, hereby certify that the foregoing  
8 proceeding was taken by me at the time and place herein  
9 set forth;

10 That the said proceeding was taken down by me  
11 in shorthand and thereafter transcribed under my  
12 direction and supervision, and I hereby certify the  
13 foregoing proceeding is a full, true, and correct  
14 transcript of my shorthand notes so taken;

15 That dismantling this transcript will void the  
16 certification by the Certified Shorthand Reporter.

17 I further certify that I am neither counsel for  
18 nor am I in any way related to any party to said action,  
19 nor am I in any way interested in the outcome thereof.

20 IN WITNESS WHEREOF, I have subscribed my name  
21 this 17th day of June, 2024.

22  
23  
24



25  
JUSTUS BAILENTINE, CSR NO. 13859